

**BOARD OF COUNTY COMMISSIONERS**

**DATE:** October 21, 2014

**AGENDA ITEM NO.** 33

**Consent Agenda** ☐

**Regular Agenda** ☐

**Public Hearing** ☒

 **County Administrator's Signature:**

**Subject:**

Public Hearing and Approval of Proposed Amendments to Chapter 14 of the Pinellas County Code Relating to Animal Services and the Unlawful Restraint of Dogs and Cats.

**Department:**

Safety and Emergency Services

**Staff Member Responsible:**

Maureen Freaney, Director, Animal Services

**Recommended Action:**

I RECOMMEND THE BOARD OF COUNTY COMMISSIONERS (BOARD) ADOPT, AFTER RECEIVING PUBLIC COMMENT, THE PROPOSED AMENDMENTS TO CHAPTER 14 OF THE PINELLAS COUNTY CODE RELATING TO ANIMALS, CHANGING RULES REGARDING UNLAWFUL RESTRAINT OF DOGS AND CATS.

**Summary Explanation/Background:**

On September 11, 2014, the Board granted authority to advertise and schedule a public hearing on the attached proposed ordinance on October 21, 2014.

The proposed changes strengthen the current rules on unlawful restraint of dogs and cats in Pinellas County. Many studies have indicated that dogs left tethered and unattended become less socialized, and more aggressive with an increased risk of biting. Unattended tethering also leads to inhumane conditions for the animal. Many Florida counties have adopted laws prohibiting unattended tethering including Miami-Dade, Palm Beach, Lee, Collier, Broward, Hillsborough, Pasco, Sarasota, Manatee, Lake, Duval and Okaloosa.

The experience in other Florida counties emphasized the importance of educating dog and cat owners about alternatives. Accordingly, this proposed amendment is proposed to take effect May 1, 2015 to allow for notice and distribution of public education materials (draft materials attached) on unattended tethering.

**Fiscal Impact/Cost/Revenue Summary:**

None

**Exhibits/Attachments Attached:**

Proposed Ordinance Changes / Strike and Add  
Proposed Ordinance Changes / Clean Copy  
Draft educational materials

PINELLAS COUNTY ORDINANCE NO. 14 - \_\_\_\_\_

AN ORDINANCE OF THE COUNTY OF PINELLAS AMENDING CHAPTER 14 OF THE PINELLAS COUNTY CODE ("CODE") RELATING TO ANIMALS; AMENDING SECTION 14-31 OF THE CODE RELATING TO UNLAWFUL RESTRAINT OF DOGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR FILING, PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA, in meeting duly assembled this \_\_\_\_ day of \_\_\_\_\_, 2014, that:

Section 1. Section 14-31 of the Pinellas County Code is hereby amended to read as follows:

**Sec. 14-31. - Unlawful restraint of dogs and cats.**

- (a) No person shall tether, fasten, chain, tie, or restrain a dog or cat, or cause a dog or cat to be tethered, fastened, chained, tied, or restrained, to a dog house, tree, fence, or any other stationary object.
- (b) Notwithstanding subsection (a), a person may do any of the following:
  - (1) A dog or cat may be tethered when it is in visual range of the owner, and the owner is located outside with the tethered animal.
  - ~~(1) Attach a dog to a running line, pulley, or trolley system. A dog shall not be tethered to the running line, pulley, or trolley system by means of a choke-type, pinch-type, prong-type, or improperly fitting collar;~~
  - (2) Tether, fasten, chain, tie, or otherwise restrain a dog or cat pursuant to the requirements of a camping or recreational area; ~~or~~
  - ~~(3) Tether, fasten, chain, or tie a dog no longer than is necessary for the person to complete a temporary task that requires the dog to be restrained for a reasonable period.~~
- (c) In all cases where tethering is permissible the following conditions must be met:
  - (1) The dog or cat must be attached to the tether by a buckle type collar or a body harness. A dog or cat shall not be tethered by means of a choke-type, pinch-type, prong-type, or improperly fitting collar;
  - (2) The tether has the following properties: it is at least five times the length of the ~~dog's tethered animal's~~ body, as measured from the tip of the nose to the base of the tail; it terminates at both ends with a swivel; it does not

weigh more than one-eighth of the ~~dog's-tethered animal's~~ weight; and it is free of tangles;

- (32) The dog or cat is tethered in such a manner as to prevent injury, strangulation, or entanglement;
- (4) If there are multiple dogs or cats, each dog or cat must be tethered separately. The tethering of each dog or cat must be in accordance with the requirements of this code;
- (53) The dog or cat is not outside during a period of extreme weather, including without limitation extreme heat or near-freezing temperatures, thunderstorms, tornadoes, tropical storms, or hurricanes;
- (64) The dog or cat has access to water, adequate shelter, and dry ground;
- (75) The dog or cat is at least six months of age. Puppies or kittens shall not be tethered; and
- (86) The dog or cat is not sick or injured.

## Section 2. Severability.

If any section, subsection, sentence, clause, phrase, or provision of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not be construed to render the remaining provisions of this Ordinance invalid or unconstitutional.

## Section 3. Codification.

The provision of this Ordinance shall be included and incorporated in the Pinellas County Code as an addition thereto, and shall be appropriately numbered to conform to the uniform system of the Code.

## Section 4. Filing of Ordinance; Effective Date.

Pursuant to Section 125.66, Florida Statutes, this Ordinance shall be filed with the Department of State by the Clerk of the Board of County Commissioners within ten (10) days after the enactment by the Board of County Commissioners. This Ordinance shall take effect May 1, 2015.

APPROVED AS TO FORM

By: \_\_\_\_\_  
Office of County Attorney

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- (b) Notwithstanding subsection (a), a person may do the following:
  - (1) A dog or cat may be tethered when it is in visual range of the owner, and the owner is located outside with the tethered animal.
  - (2) Tether, fasten, chain, tie, or otherwise restrain a dog or cat pursuant to the requirements of a camping or recreational area.
- (c) In all cases where tethering is permissible the following conditions must be met:
  - (1) The dog or cat must be attached to the tether by a buckle type collar or a body harness. A dog or cat shall not be tethered by means of a choke-type, pinch-type, prong-type, or improperly fitting collar;
  - (2) The tether has the following properties: it is at least five times the length of the tethered animal's body, as measured from the tip of the nose to the base of the tail; it terminates at both ends with a swivel; it does not weigh more than one-eighth of the tethered animal's weight; and it is free of tangles;
  - (3) The dog or cat is tethered in such a manner as to prevent injury, strangulation, or entanglement;

- (4) If there are multiple dogs or cats, each dog or cat must be tethered separately. The tethering of each dog or cat must be in accordance with the requirements of this code;
- (5) The dog or cat is not outside during a period of extreme weather, including without limitation extreme heat or near-freezing temperatures, thunderstorms, tornadoes, tropical storms, or hurricanes;
- (6) The dog or cat has access to water, adequate shelter, and dry ground;
- (7) The dog or cat is at least six months of age. Puppies or kittens shall not be tethered; and
- (8) The dog or cat is not sick or injured.

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APPROVED AS TO FORM

By:   
Office of County Attorney





## How you can help!

- If you are a dog owner, please don't tether your dog.
- Consider the effects to the dog and to the people who live with you and around you in the neighborhood.
- If someone from the county comes to talk to you about it, listen.
- Once you understand the effects of tethering, spread the word.
- If you know someone who tethers their dog for long periods of time, call Pinellas County Animal Services at (727) 582-2600. A code enforcement officer will go to the property to talk to the owner and share educational materials. If necessary, this visit will be followed up with a formal warning and a citation if appropriate. Fines can be up to \$500.

**Pinellas County Animal Services**  
12450 Ulmerton Road, Largo, FL 33774  
(727) 582-2600  
[www.pinellascounty.org/animalservices](http://www.pinellascounty.org/animalservices)



**A new Pinellas County ordinance makes it illegal to tie or chain your dog outside**

**Help end the tethering of dogs.  
Learn more about the dangers involved.  
Encourage friends and neighbors to be aware of the dangers and cruelty of tethering their dogs.**

Funding for this brochure was provided by the Pinellas County Communications Department in partnership with Pinellas County Animal Services, SPCA Tampa Bay and the Humane Society of Pinellas. 50,000 copies were printed at a cost of \$2,546.50 or 0.05093 each.

Pinellas County complies with the Americans with Disabilities Act. To obtain accessible formats of this document, please contact the Communications Department at (727) 464-4600/TDD (727) 464-4431.

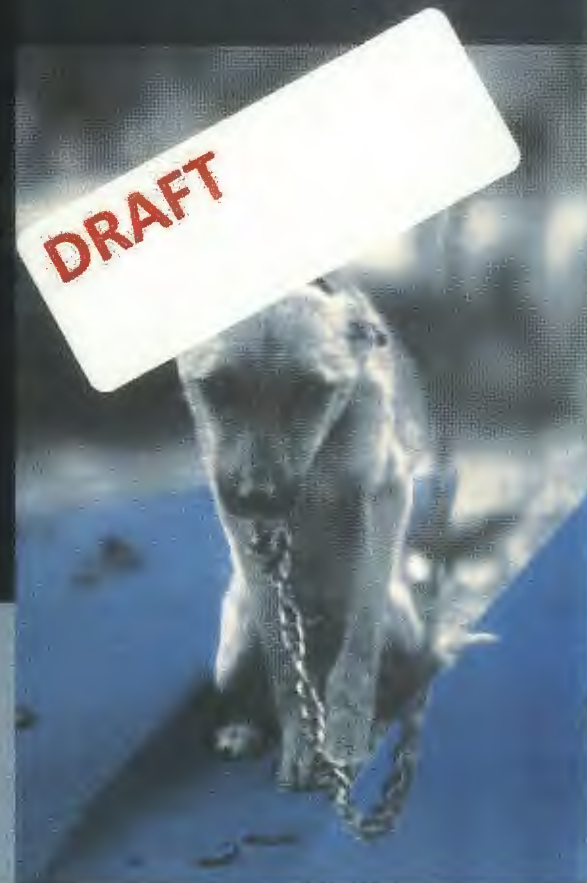
Printed on recycled paper 08/10

# BREAK THE CHAIN

## DON'T TETHER YOUR DOG!

**DRAFT**

IT'S THE LAW







### How is the ordinance enforced?

- Through education, dog owners will find out about the tethering law and why it is in effect.
- If the dog owner continues to illegally tether their dog, code enforcement officers will issue a warning.
- After the warning, there will be an investigation.
- **Violators will receive citations and fines of up to \$500.**

# BREAK THE CHAIN



### What's wrong with tethering?

- Tethering a dog is physically dangerous. The chains and ropes and other devices used to restrain dogs often get tangled and wrapped around trees or other objects, leaving the dog with precious little room and a grave potential of choking. Dogs who attempt to jump over a fence can be strangled, and those with choke collars and other tight-fitting collars can easily get seriously injured.
- Dogs left outside are targets. They are fair game for fleas and other insects, teasing from kids and even adults, and attacks from other animals.
- Even a friendly dog that is left alone for long periods of time becomes unhappy, anxious and aggressive to humans and other animals. Many "dangerous dogs" were made that way by the treatment from their owners ... maybe without the owners even realizing it.

### Like humans, dogs have basic needs.

- Dogs need food and water to live. Food and water bowls that may be left out for them when they are tethered often get knocked over. Or the empty bowls are not refreshed and the dog is left without food or water.
- Dogs need proper shelter from the heat of Florida's long summers and the cold of the winter months. Being tethered outside in extreme weather conditions like storms can terrify them and lead to physical dangers.
- Dogs need human contact. Dogs are naturally social, family-oriented animals. Anyone who knows a dog can see that they thrive on human companionship. A dog who is forced to stay alone in one area for hours, days or even weeks and months suffers as much as if they had no food or water.
- Dogs get sick from being outside for long periods of time.



## Revisions to the Animal Service Ordinance

### Chapter 14, Article II

Passed [redacted]

### Under the new regulations, dog owners CAN NOT:

- Tether puppies.
- Tether dogs that are sick or injured.
- Use collars that choke or pinch [redacted]
- Tether at all during extreme weather. This includes near-freezing temperatures, extreme heat, thunderstorms, tropical storms and hurricanes.
- A dog or cat may be tethered when it is in visual range of the owner, and the owner is located outside with the tethered animal.





## ***Pinellas County Tethering Ordinance***

In November 2014, the Pinellas County Board of County Commissioners voted to pass Ordinance No. 14-???, which ***bans the unattended tethering of dogs and cats throughout Pinellas County.*** The term “tether” means to restrain a dog or cat by tying the animal with chains, ropes, leashes, cords, or running lines to any object, structure, or tree.

In order to comply with Ordinance No. 14-???, here some important points to remember:

- The owner or keeper of a dog or cat must remain outside with the animal while it is tethered.
- The owner or keeper of a dog or cat must keep the animal within sight.
- The tether must be of a size and weight necessary to safely restrain the dog or cat without placing excessive weight or strain on the dog or cat.
- If there are multiple animals, each one must be tethered separately so they do not get tangled.

Citizens are encouraged to read the entire tethering ordinance at ???

**Beginning June 1, 2015, Pinellas County Animal Services will begin enforcing this measure with citations and fines.**

**Question on this or any topic related to Animal Services may be directed to us via web mail at ??? or by calling **727-582-2600, menu option 4.****

